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August 6, 2014

VIA FEDEX

Jane Murray
Department of Environmental Services
29 Hazen Dr., PO Box 95
Concord, NH 03302-0095

RE: **Granite Reliable Power's Motion for In Camera Review to Determine Discoverability of its Safety Plan**
New Hampshire Site Evaluation Committee Docket No. 2014-03

Dear Ms. Murray:

Please find attached Granite Reliable Power's Motion for In Camera Review to Determine Discoverability of its Safety Plan. Per your instructions, my office has sent you the attached filing electronically for distribution to the Service List of Docket No. 2014-03, and has sent you the original and one hard copy via Fed-Ex.

Please contact me with any questions or comments.

Sincerely,



Nicole M. Moss
Paralegal

Enclosure

Cc: Michael J. Iacopino, Esq. (by e-mail)
Harold C. Pachios, Esq. (by e-mail)
Matthew S. Warner, Esq. (by e-mail)

THE STATE OF NEW HAMPSHIRE
SITE EVALUATION COMMITTEE

_____))
Motion of Granite Reliable Power, LLC,)
To Amend Certificate of Site) Docket No. 2014-03
and Facility with Request for)
Expedited Relief)
_____))

**GRANITE RELIABLE POWER’S MOTION FOR IN CAMERA REVIEW TO
DETERMINE DISCOVERABILITY OF ITS SAFETY PLAN**

NOW COMES Granite Reliable Power LLC (“Granite”) and moves for the Committee to review *in camera* the Granite Windpark Safety Plan so as to determine its relevance to this proceeding.

1. At a July 24, 2014 technical session, Counsel for the Public and WindAction Group requested documents and information which Attorney Iacopino, counsel for the Committee, compiled into Applicant Technical Session Data Requests.
2. Granite replied to all Applicant Technical Session Data Requests by letter to all parties on July 31, 2014 and by supplemental responses to all parties on August 4, 2014.
3. Data request number eight states: “Please provide a copy of the safety plan for the facility.”
4. This safety plan has absolutely no relationship to the road widening and re-vegetation at issue in this proceeding, and is not necessary or even likely to lead to discovery or acquisition of evidence admissible in this proceeding. *See* Site Law 202.12 (limiting discovery to information “necessary to enable a party to acquire evidence admissible in a proceeding”).

5. Granite has notified the parties that the safety plan is beyond the scope of discovery in this proceeding, and Granite will not produce the safety plan until the Committee or Attorney Iacopino review the plan *in camera* and rule on its relevance. Granite has sent by mail and electronically a copy of the safety plan to Attorney Iacopino for review.
6. Counsel for the Public appears determined to broaden this proceeding in order to re-litigate issues addressed in the original hearing and Certificate. Counsel Roth's actions to date appear calculated to make this proceeding more burdensome, lengthier and more expensive for Granite, despite the fact that Granite seeks only to widen the road four feet and increase the number of trees in the High Elevation Restoration (HER) area so as to reduce its environmental impact, and that Granite has filed the instant amendment application at the suggestion of the State's environmental agencies and with the support of all of the SEC-designated signatories to the High Elevation Mitigation Settlement Agreement sought to be amended.
7. The SEC should firmly control the process in order to ensure that Counsel for the Public does not manufacture a degree of complexity that inhibits an efficient and economical proceeding which involves only the single, narrow issue for which an amendment is sought.

Wherefore, Granite moves the Committee to review *in camera* the Granite Windpark safety plan so as to determine its relevance to this proceeding, and to protect from data requests any documents beyond the scope of discovery in this proceeding.

Respectfully submitted,

BROOKFIELD RENEWABLE POWER INC.

By 
and its Attorneys,
Preti Flaherty Beliveau & Pachios PLLP
P.O. Box 1318
57 North Main Street
Concord, NH 03302-1318

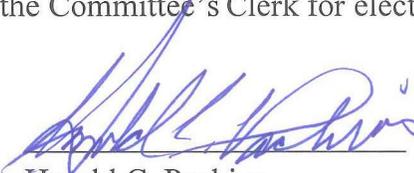
By: Harold C. Pachios and
Matthew S. Warner and
Sigmund D. Schutz (NH Bar No. 17313)
(207) 791-3000

August 6, 2014

Certificate of Service

I, Harold C. Pachios, do hereby certify that I caused the foregoing to be served upon the parties in the case by submitting it to the Committee's Clerk for electronic distribution by her to the Service List.

Dated: August 6, 2014


Harold C. Pachios